REMARKS

Applicants submit this Amendment, and a Petition for Extension of Time, in reply to the Office Action mailed February 23, 2006.

In the Office Action, the Examiner: (1) objected to the Amendment filed December 1, 2005, under 35 U.S.C. § 132(a); (2) rejected claims 60-72, 76, 78, and 79 under 35 U.S.C. § 112, first paragraph; (3) rejected claims 35, 39-43, 46, 47, 49-54, 56, 60, 64-67, 76, and 78-81 under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Document No. 63-061606 ("*JP '606*") in view of at least one of U.S. Patent No. 5,746,849 to *Hutson et al.* ("*Hutson*"), Japanese Patent Document No. 06-106916 ("*JP '916*"), and U.S. Patent No. 4,299,264 to *Williams* ("*Williams*"); (4) rejected claims 36-38 and 61-63 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of European Patent Application No. 790143 ("*EP '143*"); (5) rejected claims 44, 45, 68, and 69 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 60-193704 ("*JP '704*"); (6) rejected claims 70 and 71 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 04-143106 ("*JP '106*") and/or Japanese Patent Document No. 11-001105 ("*JP '105*"); (7) rejected claim 77 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, in view of *JP '704*, and further in view of *JP '106* and/or *JP '105*; (8) rejected claims 48, 57-59, and 72 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of United

Kingdom Patent No. 1212795 ("*GB '795*"); (9) rejected claim 55 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of U.S. Patent No. 4,947,911 to *Ushikubo et al.* ("*Ushikubo*"); and (10) rejected claims 76 and 79 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 64-36505 ("*JP '505*").

The Examiner also stated that claims 51 and 53 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims, and amended to recite that "the outer central blocks of the second row are delimited on one axial side by the second annular projection and are delimited, on an axially opposite side, by the fourth circumferential groove so that the tread has an asymmetric tread pattern." (*Office Action*, pp. 10-11).

In this Amendment, Applicants amend the specification and claims 35, 60, 77, 78, and 80 to more appropriately define the claimed invention.

Before entry of this Amendment, claims 35-72 and 76-81 were pending in this application. After entry of this Amendment, claims 35-72 and 76-81 remain pending in this application.

Applicants traverse the objection and rejections above and respectfully request reconsideration for at least the reasons that follow.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 51 and 53 would be allowable if rewritten or amended.

Objection Under 35 U.S.C. § 132(a)

The Examiner objected to the Amendment filed December 1, 2005 under 35 U.S.C. § 132(a) because it allegedly introduces new matter into the disclosure. (*Office Action*, p. 2, paragraph 1). While Applicants disagree with this objection, Applicants have amended the specification at page 10, lines 1-3, in an effort to advance prosecution of this application. Accordingly, Applicants respectfully submit that the Examiner's objection under 35 U.S.C. § 132(a) is moot.

Claim Rejection Under 35 U.S.C. § 112, First Paragraph

Applicants respectfully traverse the Examiner's rejection of claims 60-72, 76, 78, and 79 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. (*Id.* at p. 2, paragraph 3). Nevertheless, Applicants have amended claims 60 and 78 to recite "wherein the central blocks are approximately cusp-shaped," and "wherein the central blocks are approximately semiparabolic-shaped," respectively. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 112, first paragraph.

Rejections Under 35 U.S.C. § 103(a)

Claims 35, 39-43, 46, 47, 49-54, 56, 60, 64-67, 76, and 78-81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, and *Williams*. Applicants respectfully disagree with the Examiner's arguments and conclusions and submit that amended independent claims 35, 60, 78, and 80 patentably distinguish over *JP '606*, *Hutson, JP '916*, and *Williams* at least for the reasons described below.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), each of three requirements must be met. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Each of the three requirements, moreover, must "be found in the prior art, and not be based on applicant's disclosure." *See* M.P.E.P. §2143, 8th ed., February 2003.

JP '606 discloses a symmetric tread pattern including left and right lateral regions Ts "divided by multiple horizontal grooves 30_3 that extend at acute angles against the circumferential direction of the tyre forming multiple blocks 40_3" (emphasis added). (*JP '606* Translation, p. 3, ll. 23-25 and Figures 1 and 2). *JP '606*, however, fails to teach or suggest the claimed asymmetric tyre for a motor vehicle, "wherein the first shoulder region comprises first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre," and "wherein the second shoulder region comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a circumferential direction of the tyre," as required by Applicants' independent claim 35. Moreover, for similar reasons, *JP '606* also fails to teach the claimed directional tyre for a motor vehicle, "wherein the first shoulder region comprises first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre," and "wherein the second shoulder region

comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a circumferential direction of the tyre," as required by Applicants' independent claims 60, 78, and 80 (emphases added).

Hutson discloses a directional, symmetrical tread 12 including first and second lateral edges 16 and 18 with horizontal grooves that extend at acute angles with respect to a circumferential direction of the tyre (*Hutson*, Abstract and FIG. 1), and *JP '916* teaches a pneumatic tyre with a directional pattern including side directional regions 4 with a plurality of oblique grooves 7 (*JP '916*, Abstract and FIG. 2). In addition, *Williams* discloses a tread pattern which is symmetrical to either side of a circumferential centerline 1 including shoulders 2 and 3 with lateral grooves 12c "extend[ing] at an angle of 60° across [a] rib 11." (*Williams*, col. 4, ll. 8-18). Accordingly, *Hutson*, *JP '916*, and *Williams* are also silent as to the claimed "[H]igh-performance, asymmetric tyre for a motor vehicle", "wherein the first shoulder region comprises first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre", and "wherein the second shoulder region comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a circumferential direction of the tyre," as recited in amended claim 35. In addition, *Hutson*, *JP '916*, and *Williams* also fail to teach or suggest the claimed directional tyre for a motor vehicle, "wherein the first shoulder region comprises first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre," and "wherein the second shoulder region comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a

circumferential direction of the tyre," as recited in amended claims 60, 78, and 80 (emphases added).

In view of the above described deficiencies of *JP '606*, *Hutson*, *JP '916*, and *Williams*, claims 35, 60, 78, and 80 are allowable over the Examiner's proposed combination of the references, and claims 39-43, 46, 47, 49-54, 56, 64-67, 76, 79, and 81 are allowable at least due to their corresponding dependence from claims 35, 60, 78, and 80.

Claim 77 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, in view of *JP '704*, and further in view of *JP '106* and/or *JP '105*. Applicants respectfully disagree with the Examiner's arguments and conclusions and submit that amended independent claim 77 patentably distinguishes over *JP '606*, *Hutson, JP '916*, *Williams*, *JP '704*, *JP '106*, and *JP '105* at least for the reasons described below.

As noted above, *JP '606*, *Hutson*, *JP '916*, and *Williams* all fail to disclose a tread pattern including shoulder regions with transverse grooves which are substantially perpendicular with respect to a circumferential direction of the tyre. Similarly, *JP '704*, *JP '105*, and *JP '106* also fail to overcome this deficiency. *JP '704* discloses an aired tire 1 with a pair of beaded cores 2, a carcass 4, and two continuous longitudinal grooves G1 and G2, which appear to extend parallel to one another. (*JP '704* Translation, p. 2, ¶ 5, and Fig. 1). *JP '105* teaches a pneumatic tire 10 including a shoulder section 20 with a "lug slot 26...[which] inclines toward...adjoining lug slot 24" (emphasis added). (*JP '105* Translation, p. 3, [0019] and Figure 1). *JP '106* discloses a tread surface with four main grooves 1 arranged in a circumferential direction at

specified intervals in a lateral direction of the tyre. (*JP '106*, Abstract). None of these teachings, however, suggest the claimed "first shoulder region [comprising] first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre," and "wherein the second shoulder region comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a circumferential direction of the tyre" (emphases added). Amended claim 77 is therefore allowable over the Examiner's proposed combination of *JP '606*, *Hutson*, *JP '916*, *Williams*, *JP '704*, *JP '105*, and *JP '106*.

Applicants respectfully traverse the Examiner's rejection of claims 36-38 and 61-63 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of European Patent Application No. 790143 ("*EP '143*"); the rejection of claims 44, 45, 68, and 69 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 60-193704 ("*JP '704*"); the rejection of claims 48, 57-59, and 72 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of United Kingdom Patent No. 1212795 ("*GB '795*"); the rejection of claims 70 and 71 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 04-143106 ("*JP '106*") and/or Japanese Patent Document No. 11-001105 ("*JP '105*"); the rejection of claim 55 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of U.S. Patent No.

4,947,911 to *Ushikubo et al.* ("*Ushikubo*"); and the rejection of claims 76 and 79 under 35 U.S.C. § 103(a) as being unpatentable over *JP '606* in view of at least one of *Hutson*, *JP '916*, *Williams*, and further in view of Japanese Patent Document No. 64-36505 ("*JP '505*"). The shortcomings of *JP '606*, *Hutson*, *Williams*, *JP '916*, *JP '704*, *JP '106* and/or *JP '105* are discussed above.

With respect to *EP '143*, the Examiner alleges that *EP '143* teaches "using a belt having plies 7A, 7B each having parallel steel cords embedded in rubber...and a band 9A having zero degree cords" (*Office Action*, p. 7, ¶ 6), and *JP '704* and *GB '795* disclose "adding transverse sipes 36 to connected shoulder blocks for enhancing grip" (*Id.* at p. 9, ¶ 10 -- p. 10). In addition, the Examiner alleges that *Ushikubo* teaches "[forming] a shallow circumferential recess in blocks adjacent a shoulder region to prevent blow out," (*Id.* at p. 10, ¶ 11), and *JP '505* discloses "[using] one or two ribs in a directional tread pattern" (*Id.* at p. 10, ¶ 12). Such teachings, even if present in these references, fail to teach or suggest the claimed "first shoulder region [comprising] first shoulder blocks, separated from each other by first transverse grooves substantially perpendicular to a circumferential direction of the tyre," and "wherein the second shoulder region comprises second shoulder blocks, separated from each other by second transverse grooves substantially perpendicular to a circumferential direction of the tyre" (emphases added). Thus, *EP '143*, *GB '795*, *JP '505*, and *Ushikubo* also fail to overcome the above noted shortcomings of *JP '606*, *Hutson*, *JP '916*, and *Williams*, and claims 36-38, 44, 45, 48, 55, 57-59, 61-63, and 68-72 are allowable at least due to their corresponding dependence from independent claims 35 and 60.

Summary

Applicants respectfully submit that independent claims 35, 60, 77, 78, and 80 are in condition for allowance. In addition, claims 36-59, 61-72, 76, 79, and 81 are allowable at least due to their corresponding dependence from claims 35, 60, 78, and 80.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this Application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 22, 2006

By: _____
David L. Soltz
Reg. No. 34,731